

National Disability Insurance Agency
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Reference number: XXXXXXXXXXXX

Appeal on behalf of XXX XXX XXX

Thank you for your letter dated 14/04/2020 advising that NDIS participant applicant, XXX XXX, participant number, did not meet criteria to become a participant of the NDIS. With the greatest respect however, I would like to **request an appeal of this decision** given that it was stated that XXX did not meet criteria, based on Section 14(1)(b) of the NDIS Act, which requires the applicant to have an impairment that is permanent or likely to be permanent.

Each of XXX's diagnoses are indeed lifelong conditions that individually, and collectively, impact his day to day ability to participate fully in the social and economic life of the community and will continue to do so throughout his life. The reports provided with his application support this claim and the quotes below provide evidence of the lifelong nature of these conditions.

XXX has been diagnosed with the following lifelong conditions:

1. **Severe Attention Deficit Hyperactivity Disorder**

Impairment since: Birth

Impact: Lifelong

Evidence: "In most individuals with ADHD, symptoms of motoric hyperactivity become less obvious in adolescence and adulthood, but difficulties with restlessness, inattention, poor planning, and impulsivity persist (Turgay et al. 2012). A substantial proportion of children with ADHD remain relatively impaired into adulthood" (DSM-5, 2015).

2. **Childhood Apraxia of Speech (CAS)**

Impairment since: Birth

Impact: Lifelong

Evidence: "CAS is lifelong" (Murray, 2020). "There are numerous studies corroborating the persistent difficulties in speech that people with CAS have [into adulthood]. "Overall people with CAS have persistent, lifelong impairments in speech which also affects their social communication, mental health, reading and writing and vocational opportunities into their adult lives. They require support not only for early intervention for treatment but also for their needs over time across multiple domains (Murray, 2020).

3. **Motor Dyspraxia** also known as **Developmental Coordination Disorder**

Impairment since: Birth

Impact: Lifelong

Evidence:

"There is now a general recognition that DCD is a lifelong condition, with three quarters of children going on to experience difficulties in adulthood" (Scott-Roberts & Purcell, 2018).

"Problems with coordinated movements continue through adolescence in an estimated 50%–70% of children (Cantell et al. 2003).

“In early adulthood, there is continuing difficulty in learning new tasks involving complex/automatic motor skills” (DSM-5, 2015)

“Individuals with ADHD and with developmental coordination disorder [such as XXX] demonstrate more impairment than individuals with ADHD without developmental coordination disorder (Rasmussen and Gillberg 2000).

4. **Specific Language Impairment also known as Developmental Language Disorder.**

Impairment since: Birth

Impact: Lifelong.

Evidence: “Developmental language disorder (DLD) is a lifelong condition characterised by difficulties with understanding and/or using spoken language” (RCSLT, 2018). It is “associated with increased risk of academic failure” (Conti-Ramsden & Durkin, 2016), “poor employment outcomes” (Conti-Ransden et al., 2012) and “social, emotional, and behavioural difficulties” (Yew & O’Kearney, 2013).

5. **Specific Learning Disorder in reading (dyslexia) and written expression (dysgraphia)**

Impairment since: Diagnosis

Impact: Lifelong

Evidence: “Longitudinal studies, both prospective and retrospective indicate that dyslexia is a persistent, chronic condition” (Shaywitz, 1998).

“Dysgraphia and disorders of written expression can have lifelong impacts, as adults with difficulty writing may continue to experience impairment in vocational progress and activities of daily living” (McCloskey & Rapp, 2017).

“Changes in manifestation of symptoms occur with age, so that an individual may have a persistent or shifting array of learning difficulties across the lifespan” (Gerber as cited in DSM-5, 2015; Mugnaini et al. as cited in DSM-5, 2015).

6. **Severe anxiety**

Impairment since: Diagnosis

Impact: Lifelong

Evidence: “Episodes of severe anxiety or anxiety disorders, including somatic complaints or panic attacks, are common across the lifespan and accompany both the circumscribed and the broader expression of learning difficulties (Klassen et al. & Nelson and Harwood as cited in DSM-5, 2015).

7. **Auditory Processing Disorder**

Impairment since: Diagnosis

Impact: Lifelong

Evidence: “Prevalence estimates of APD in school-aged children are 2–5% (Chermak and Musiek, 1997), and in older adults, 23–76% (Cooper and Gates, 1991). Additionally, APD symptoms exist in young and middle-aged adults. Adults with APD tend to show difficulties in all aspects of their lives and especially at work. They show difficulties with telephone conversations, following complex directions, learning a new language, and so on” (Obuchi et al., 2017).

8. **Atypical seizures**

Impairment since: Diagnosis

Impact: Lifelong

Evidence: As they are atypical this is unknown.

The NDIS exists to help people with lifelong disability to participate fully in the social and economic life of the community, by providing reasonable and necessary supports that help them to reach their potential. XXX meets this criterion seven times over, with seven diagnoses that he will need to live with for the rest of his life.

For over ten years, XXX has and continues to undertake a significant allied health therapy regime ranging from psychologists, occupational therapists and speech pathologists to reduce the symptoms of each of these lifelong conditions, which together impact his functional capacity **significantly impacting his mobility, communication, social interaction, learning, self-care and self-management.**

I urge you to review his application which, with its accompanied reports from experienced professionals, demonstrate the detrimental effect of denying this young man access to a service that was designed specifically for people like him.

With earnest regards



XXX XXX
XXX's mother

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